IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICITON

WRIT PETITION NO. 8158 OF 2007

Popatrao Jaysing Borhade ... Petitioner

V/s.

The Election Commission,
through its Returning / Election Officer,
Sone Sangvi Gram Panchayat, & Ors. ...
Respondents

Mr. Jayant Gohil and Mr. G.S. Gaikwad for the Petitioner

Mr. C.R. Sonawane, Assistant Government Pleader,
for the State.

CORAM: **J.N. PATEL, AND**
SMT. NISHITA MHATRE, JJ.
DATE: **NOVEMBER 20, 2007**

P.C.:-

1. This petition has been filed by a voter, who contested the election of Grampanchayat for the Sone Sangvi Ward No. 2 and lost. Therefore, he has approached this Court invoking its Extra-ordinary Jurisdiction to declare the election to Ward Nos. 1 and 2 as void *ab initio*, set aside the results declared by respondent No. 1 and

further direct respondent No. 1 to disqualify respondents No. 2 to 4 as members of Grampanchayat for the Sone Sangvi Ward Nos. 1 and 2 and for other ancillary reliefs.

2. Appropriate remedy available to the petitioner under law is to approach the Court of Civil Judge, Junior Division, or appropriate forum as provided under Section 15 of the Bombay Village Panchayats Act, 1958. Therefore, we are not inclined to entertain this petition, and dismiss the same, with liberty to the petitioner to approach appropriate forum in accordance with law.

J.N. PATEL, J.

SMT. NISHITA MHATRE, J.